

STREAM IMPROVEMENT.

Rough Notes
Alaska Report
for 1918

The work inaugurated a few years ago of removing obstructions in salmon streams ~~in~~ ⁱⁿ Alaska received some attention ^{in 1918} in the southeastern district, ~~though delays were occasioned by ice and snow.~~ The streams which were opened ~~in 1918~~ were Anan and Whitney, on Wrangell Island, and Olive Creek on Etolin Island. Some log jams were removed from the upper Chilkoot River, and the falls in Mill Creek ^{near Wrangell} were reduced sufficiently for salmon to ascend. It is ^{reported} ~~said~~ that beneficial results from ~~the work~~ ^{already accomplished} have been noted.

The importance of this work is obvious, and it is ^{planned} ~~hoped~~ that in ^{as funds and facilities permit,} time all streams in Alaska which were once open to salmon will be cleared of debris and log jams and ^{be} ~~thus~~ restored to their former ^{condition.} ~~use.~~ The work ^{scope of these} ~~operations will be extended to the opening of streams which because of falls or other~~ ^{may go further and open new streams by the removal of natural obstructions.} ~~have never been accessible to salmon.~~ Plants of fry can then be made in waters hitherto unknown to the salmon and the parent-stream theory may be given a practical test. The possibilities of the work are ^{most important in providing additional} ~~encouraging in that unlimited fields may~~ be opened for spawning ^{grounds, thus} which will materially aid in restoring and maintaining the supply of salmon. ^{normally,} ~~The greater the spawning areas of a given section the greater will be the run of salmon, other things being equal.~~ ~~The only bar to a vigorous prosecution of the work is the lack of funds.~~

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~~During the~~

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Auklet were engaged
for several weeks the
latter part of October and
most of November in searching
for bodies from the Picco
Sothia which vessel was
wrecked October 25 on
Vanderbilt Reef with a loss
of 343 lives, no one on board
being saved.

PATROL BOATS.

The enforcement of the fisheries laws and regulations of Alaska is contingent upon the ability of those charged with such duties to cover the territory regularly during the fishing season. This can be done most effectively by furnishing each man with a boat. Since the Bureau has but three vessels of its own for this work, it is necessary to hire each season several small boats for limited use in certain important localities. This was done to a greater extent in 1918 than ever before owing to the employment of several men as stream watchmen.

In southeastern Alaska, the ^{Bureau's} steamer Osprey and the ^{motor vessels} ~~gas~~ boats Murre and Auklet were regularly engaged in patrol work during the season. In addition, four small launches, namely, My Fancy, Kitty, Bee, and May, were chartered at various times. In central Alaska, ^{the motor} ~~gas~~ boats Prospector (7 tons net), Ellona, and five small unnamed power boats were chartered at different times, some being used continuously for several weeks while others were used for single trips of but a few days. They were engaged chiefly in the Copper River and Prince William Sound districts.

The packing companies furnished free transportation to the representatives of the Bureau on several occasions when other facilities were not available.

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SPECIAL PATROL SERVICE.
STREAM WATCHMEN.

The Bureau has given consideration from time to time to the need of a closer patrol of the fisheries of Alaska to prevent destructive fishing, encroachment upon streams, and the continuance of operations during close seasons. In the past this work has been seriously hampered by a lack of ^{funds} ~~means~~ and personnel, but in 1918 additional assistance was secured by the temporary employment of ten men as stream watchmen, ~~the~~ most of whom were connected with the University of Washington either in a professorial capacity or as students, ^{five of ~~whom~~ ~~were~~ ^{men were}} assigned to duty in southeastern Alaska while the other five were detailed to localities in central Alaska.

Much good resulted from this increase of the patrol force in the enforcement of the laws and regulations, as well as in the prevention of unlawful acts in connection with the fisheries. Further benefits were obtained in the collection of data for the information and use of the Bureau.

It is contemplated that this work will be extended from year to year as ~~fully as funds will permit~~ until, an adequate patrol force is ^{secured} ~~realized~~.

VIOLATIONS OF LAWS AND REGULATIONS.

On December 9, 1918, the Supreme Court of the United States delivered an opinion confirming the opinion of the Circuit Court of Appeals for the 9th Circuit enjoining the Alaska Pacific Fisheries from maintaining, and compelling it to remove, a fish trap erected by it in Annette Island waters, Alaska.

A case of interest to packers in general was brought on May 23, 1918, by the United States Attorney at Valdez against the Pioneer Packing Company for the non-payment of a license tax, an information being filed in the District Court at Valdez alleging that the Pioneer Packing Company did prosecute unlawfully the business of manufacturing without first having obtained a license from the clerk of the district court. Counsel for the defendant interposed a demurrer which was overruled by Judge Fred M. Brown on May 28, 1918. At the October, 1918, term of the district court the case was again taken up when the defendant refused to plead further. On October 16, a fine of \$500 was then imposed. The company has one year from that date in which to appeal. Under the law a license tax of \$500 was ^{assessed} laid against the Pioneer Packing Company for the operation of a clam cannery at Cordova, Alaska, as a manufactory doing a certain volume of business.

The law further provides that if the tax is not paid when due, ^{the company upon conviction shall} a fine equal to the amount of the tax which in this case was \$500, or a total of \$1000 that must be paid. This action is final, unless the Circuit Court of Appeals to which the case may be taken reversed the judgment of the lower court.

The Abercrombie Packing Company was tried in the U.S. ^{United States} Commissioner's Court at Cordova on July 1, for having fished at six places in Miles Lake in June, 1918, with gill nets set less than 600 feet apart and for fishing in Abercrombie Canyon at two points on the east bank of the Copper River at intervals of less than 300 feet, all in violation of the regulations of December 29, 1917. A plea of guilty was entered to all complaints and a fine of \$500. was paid.

The grand jury at Valdez returned a true bill against the Abercrombie Packing Company on four counts involving violations of the order of December 29, 1917, by the use of set nets in Miles Lake in June, 1918, at less than 600 feet apart. The Northwestern Fisheries Company and the Canoe Pass Packing Company were also indicted jointly on four counts for

similar offenses.

The Carlisle Packing Company was indicted on three counts for the operation between ^{Mountain} Mt. Slough and Cape White ^{shed} of three fishing appliances, each consisting of two ^{inch} districts traps having their complement of parts, the load of one being attached to the pot of the others, ^{in total} the endwise distance of 100 yards ^{internal} being ^{required by law} wholly disregarded. The Canoe Pass Packing Company was indicted for the operation of a similar apparatus.

On July 10, the Northwestern Fisheries Company and the Canoe Pass Packing Company were tried for wanton waste of salmon at Miles Lake on June 20. Pleas of guilty being entered, each company was fined 200 ⁵⁰⁰ and costs. ^{Low} From Teets was tried for a similar offense but was acquitted.

The Valdez Packing Company was tried ^{and convicted} on August 14 before the U.S. ^{State} Commissioner ^{at Cordova} at Cordova, on a charge of having permitted two traps in Fidalgo Bay to fish during the weekly close period on July 13 and 14, ~~and convicted~~ ^{was} ~~violated~~. A fine of \$500 ^{being} imposed for each trap. The watchman at each trap was also tried and fined \$100. The cases were appealed. Settlement was finally effected at Valdez on September 27, when the case was heard informally by Judge Bunnell. The company, after being convicted of the offense charge in the U. S. ^{State} Commissioner's court at Cordova, now pleaded guilty and secured a reduction of fine from \$500 to \$100 for each trap. The fines imposed by the lower court against the watchmen were waived, and the ^{case} suit against them was dismissed.

On August 22, the Copper River Packing Company was tried before the ^{State} U.S. Commissioner ^{at Valdez} at Valdez for failure to close two of its traps in Fidalgo Bay, on Sunday, July 28. The case was prosecuted before a jury which returned a verdict of guilty, whereupon a fine of \$400 for both traps was imposed. The complaint also named the trap watchmen as codefendants but prosecutions were not made.

On September 3, three complaints were filed before the U.S. ^{with} Commissioner ~~at Kodiak, Alaska,~~ against the Alitak Packing Company charging it with

(1) ~~the~~ wanton waste of salmon, (2) ~~Canning~~ salmon that had been killed more than forty-eight hours, and (3) constructing and operating a trap in Moser Bay, ~~Alaska,~~ within 600 yards laterally of another trap. On the same day, warrants were served on F. ^a Davidson, Superintendent of the Alitak Packing Company's Cannery at Lazy Bay, ~~Alaska,~~ who, upon being arraigned, pleaded guilty to the first two complaints, while a plea of not guilty was ^{entered} in respect to the third complaint. Two cases were disposed of at this time by the imposition of a fine of \$200. ^{for each} and the costs which amounted to \$57. The third case was called for trial on September 20, at Alitak, and resulted in a conviction of the company, which was fined \$1,000. ^{assess} and the costs of the prosecution amounting to more than \$500. The case was appealed to the District Court.

On September 21, a complaint was filed before the U. S. ^{Alaska} Commissioner at Alitak, against the Alaska Packers Association for the construction of a fish trap in Moser Bay, ~~Alaska,~~ within the prohibited distance of another trap. The case was tried immediately and resulted in a conviction of the Association. A fine of \$1,000. and the costs was imposed. An appeal was taken.